

The Leesburg Planning Commission met on Thursday, June 3, 2004, in the Council Chambers, 25 West Market Street, Leesburg, Virginia. Staff members present were Susan Swift, Aref Etemadi, Lee Phillips, Brian Boucher, Paul Gauthier and Linda DeFranco.

### **CALL TO ORDER**

The meeting was called to order at 7:00pm by Chairman Vaughan.

### **PLEDGE OF ALLEGIANCE AND ROLL CALL**

Present: Chairman Vaughan  
Commissioner Bangert  
Commissioner Barnes  
Commissioner Emswiler  
Vice Chairman Werner  
Commissioner Wright  
Mayor Umstattd

Absent: Commissioner Hoovler

### **ADOPTION OF THE AGENDA**

Commissioner Bangert moved to adopt the agenda as presented:

Motion: Bangert  
Second: Barnes  
Carried: 5-0

### **ADOPTION OF MINUTES**

Commissioner Bangert moved to adopt the minutes of the May 20, 2004 meeting as submitted:

Motion: Bangert  
Second: Barnes

Chairman Vaughan had two corrections to the minutes, one pertaining to the Leesburg wayfinding signs and their composition, and the other to the appointment of a Parliamentarian for the Commission.

Upon notation of the changes, Commissioner Bangert moved to adopt the minutes of the May 20, 2004 meeting as corrected.

Motion:        Bangert  
Second:       Barnes  
Carried:       4-0-1

Commissioner Wright abstained since he was not present at the May 20<sup>th</sup> meeting.

Commissioner Emswiller was not present for these prior votes.

### **CHAIRMAN'S STATEMENT**

Chairman Vaughan welcomed everyone present and invited them to take an agenda and follow along.

### **PETITIONERS**

John Drury of 621 Beauregard Drive approached regarding a series of issues. He basically is there in support of Keep South Leesburg Beautiful, but would also like to address the Commission regarding the authority to review plans. There is concern about special exceptions, and the plan for growth. Do the citizens really want to see things pushed through without having the ability to speak at a hearing. He feels that the Commission and Council need to stay involved in the entire process.

Ann Jones of 1232 Bradfield Drive came forward to support the comments made by Mr. Drury.

Hubbard Turner of Bradfield Drive also supported the comments made by Mr. Drury. He went on to see that it is imperative that the Town Council and Planning Commission stay involved and not try to get out of these duties.

Chairman Vaughan stated that the Commission relinquished its duty to review site plans since these are the initial application prior to staff review. It makes sense to review the applications once the staff has reviewed the site plans.

Mr. Turner continued by saying that the Council and the Commission need to stay involved in the entire process and depend on staff to guide them. It seems over the past ten to fifteen years the process has eroded.

Chairman Vaughan welcomed Kevin Wright to the Commission at this point. Mr. Wright has replaced David Kennedy on the Commission, appointed by Mr. Robert Zoldos.

**PUBLIC HEARINGS**

**TLSE2003-0004 – Wastewater Treatment Plant Expansion** – Brian Boucher, Zoning Administrator (Agenda Item 9A)

Mr. Boucher gave a brief presentation stating that the applicant was the Town of Leesburg and that this Special Exception was for a plant expansion. The expansion is necessitated by the growth within the Town of Leesburg. He went on to explain the placement of the new buildings and the other upgrades that are being proposed. At this point he turned the presentation over to Aref Etemadi, Deputy Director of Utilities to explain in further detail the expansion that is proposed.

Mr. Etemadi took a few moments to discuss in detail and point out on an aerial overview of the plant, the expansion, and existing buffers. This construction is anticipated to take about 36 months to complete. This should be the only expansion for the next decade or so. It will bring the plant capability up to 7.5mgd per day.

Chairman Vaughan then opened this application up to public comment.

John Drury of 621 Beauregard Drive came forward and asked if this project would interfere with the watershed area/program at all, and also if it would affect the alignment of Battlefield Parkway.

Paul Gauthier, Chief of Engineering, stated that this expansion would not interfere with the alignment of Battlefield Parkway at all. Nor would this impact the watershed area or the upcoming watershed program in any way.

Mr. Drury went on to comment that he just wanted to make sure that the EAC Watershed Program was not impacted in anyway.

The public hearing was closed at this time.

Commissioner Barnes thanked staff for their presentation and commended them on their report.

Commissioner Wright questioned condition 8 regarding fencing along the project and Battlefield Parkway. He wanted to know if there would be trees against the fencing to help block the view.

Commissioner Werner asked whether the solid waste processing would be expanded. The answer is no. For future growth and capacity, how do you anticipate the growth including BLA's and possible future annexations. Could this facility be expanded to handle the future acquisition of developable land. Has the possible Bolen Park been taken into consideration for this expansion. Mr. Etemadi responded that they used

information on what's in the pipeline for future developments to determine the expansion capacity.

Mayor Umstattd voiced some concern over the vegetation buffer. The road construction, along the proposed Battlefield Parkway will require some of the trees being cut. Also, the Dominion Power line will potentially go through this area.

Brian Boucher responded that there was a twenty-five foot section left on the southern boundary and that would be sufficient for that area. While there is a good deal of the buffer that could be removed, a large portion will remain.

Commissioner Bangert asked who owned the property to the south of the site. The referenced site is Leegate. Ms. Bangert asked why there was a traffic study done if this is only adding 5 employees. Mr. Boucher said it was mandated by VDOT since the access road is a VDOT road, but one advantage is that we now will be able to use the numbers for our purposes. Another question Ms. Bangert had was regarding the color coated fencing mentioned in the application. She wanted to know where this had been previously used. Also, is S-2 screening opaque? Mr. Boucher cited a few sites in town as examples of color coated fencing. Also, S-2 is not opaque screening. What is the elevation of Battlefield Parkway in relation to the site. Aref Etemadi stated that it would be higher than the site. Mr. Etemadi went on to say that they plan to put in three rows on pine trees between the north side of the site and the autopark.

Commissioner Emswiller thanked staff for their presentation and the thoroughness of the application.

Chairperson Vaughan stated that this would now typically stay open for ten days for any further public comment.

Commissioner Werner asked since there was no opposition, could the ten day waiting period be waived.

Commissioner Bangert stated that she would not be in favor of that. She did not feel that the citizens of Kinhead Forest were aware of it and she wanted to give them the opportunity for public comment.

Chairman Vaughan said that the matter would be held open for ten days and would be put on the agenda of the next Planning Commission meeting, thereby allowing residents to give public input.

**Zoning Ordinance Amendments – Brian Boucher, Zoning Administrator (Agenda Item 9B)**

Brian Boucher gave an overview of the various areas and what the changes entailed. Section 3.4.16 to permit acceptance of a preliminary or final development plan to prevent termination of a special exception use.

Section 3.4.16 acceptance of development plans to prevent termination of special exception uses.

Section 5.4.2, 5.5.2, and 5.7.2 to all “Extended Family Residence” as a special exception use; Section 18.1.57, to add a definition for “Extended Family Residence” and Section 9.3.9 to add performance standards.

Section 6.4.3 B-2 FAR correction from 3.0 to FAR of 0.3.; Section 6.4.3 to add a provision stating when a private structured parking facility is provided as part of the development, the FAR may be increased up to a maximum of 0.55.

Sections 6.1.2, 6.2.2, 6.4.2, 6.5.2 and 6.6.2 to make a child care center a by-right use in the O-1, O-2, B-2, B-3 and B-4 Districts.

Section 9.3.4.F Proximity Limitation of child care center.

Section 11.3 Child Care Center parking

Delete Section 8.4.5 Timing of Commercial and Employment Uses in PRN District

Section 9.3.13 adding flexibility to when and how Neighborhood Retail Convenience Centers are permitted.

Section 8.4.8 Open Space Requirement for Infill

Section 11.4.3 Payments In-lieu to require off street parking spaces provided for residential uses in the h-1 Overlay District

Section 12.4.1 removing the restriction on planting street trees in the public rights of way.

Section 12.4.4 Street Trees location.

Section 12.8.2G additional buffering and materials used.

At this point the Public Hearing on these amendments was opened.

Mr. Hubbard Turner of Bradfield Drive had concerns over the childcare allowances. He said there were some areas near him that had childcare and the traffic and noise that result are an annoyance. He asked if this would be open for the ten day period so that he could have the opportunity to make written comments. Chairman Vaughan stated that he would have that opportunity.

Mr. Earl Hower of 111 Plaza Street, NE and Chairman of the Tree Commission came forward and made reference to the recent study that addressed the defoliation of the Leesburg area. He asked if he could make the presentation to the Planning Commission that was made to Council. He spoke about the expenditures for trees and went on to say that for every \$1 spent on trees, \$3 was returned in benefits. He cited some examples from an area in Pennsylvania where the street tree coverage has been vastly expanded and the budget provided to maintain these trees.

The public hearing was closed at this time.

Commissioner Emswiler questioned Section 3.4.16 under Special Exceptions – the word “substantial”. Mr. Boucher explained that currently there is no cut off date and perhaps there needs to be some limitation on time. She said that she is not in favor of increasing the years past two. Her next item was under extended family residence and whether this should be limited to 2 people. In the event of large families this could present a problem.

Also, not paying rent is intrusive. Some people like to have their children pay them and we should not have the right to dictate whether they pay or not. She also does not feel that the recertification restrictions need to be added, she feels that neighbors will be the ultimate enforcers of violations. Under the neighborhood retail convenience center, and the buffer zone, should this be more specific than the way it is written now? Basically, the more buffer the better.

Commissioner Bangert requested that the discussion was done item by item and let each commissioner comment that way. Going back to Section 3.4.16, she wants both the words substantial and diligent reworded.

Mayor Umstattd agreed that the time limit be two years.

Commissioner Wright commented that there needs to be a stopping point. He suggested putting in the statement "Notwithstanding the foregoing".

Mr. Boucher commented that right now an applicant can go through all of the steps toward approval and stop just short of final approval and sit on the application for an undetermined amount of time before resubmitting the application.

Commissioner Werner suggested that the language be tightened up in order to put more control into the special exception process.

The next item of discussion was on Extended Family Residences.

Commissioner Bangert has issues on this amendment. She does not feel that an entire ordinance needs to be built because enforcement of this is not possible. She questions the validity of allowing a home to be reconfigured for "extended family" and then being sold and not being in compliance. Parking has not been addressed.

Susan Swift responded that this is being addressed because there seems to be a need. The enforcement issues can be fine tuned and the ordinance fine tuned to take many factors into consideration. This is basically intended for the elderly or the incapacitated.

Commissioner Emswiller said this would not take away from other ordinances that are in place to protect other aspects of the property.

Mayor Umstattd says that she is happy to see that the building must be owner occupied and feels that this is a necessary item to address.

Chairman Vaughan said that the need is there. Caution needs to be taken on how the ordinance is structured. There will be issues on HOA's, setbacks, etc. He has some strong concerns on it and want to make sure that it is done properly.

Commissioner Werner said that this is a necessity and that everyone needs to find a way to make it work. She went on to say that oddly enough there was not an amendment

addressing the number of unrelated people that can live in one structure which apparently has constant violations.

Commissioner Wright questioned what the exit strategy is. What happens when the need passes and/or the modified house changes ownership. Does the special exception expire, must the modifications go back to their original state?

Commissioner Barnes feels that there is a need for this, however, the regulations must be tightened up somewhat.

#### Child Care Centers

Commissioner Bangert would like to see only opaque screening around playgrounds or outside of child care centers.

Mayor Umstattd said the amendment as presented, was OK with her.

Chairman Vaughan questioned the buffer and the boundary. Mr. Boucher said the boundary has to be 200 feet from residential areas.

There were no further comments.

#### Section 6.4.3 B-2 Floor Area Ratio correction to change table

All Commissioners agreed with this amendment

Commissioners had no comment on Sections 8.3.2, 8.4.7 and 8.4.5 and agreed with the changes made.

Section 9.2 – Use Tables – Commissioners wanted to request further discussion on the Use Tables with regard to the “Extended Family Residence”.

Section 9.3.4 Commissioners agreed with suggested amendment.

Section 9.3.13 Neighborhood Retail Convenience Center – Commissioner Bangert questioned the automobile related commercial uses with regard to automotive service asking if this would still be considered a special exception. Mr. Boucher responded that they would have to apply for rezoning and/or special exception. Ms. Bangert also questioned whether the 40,000 SF maximum included any residential that might be included on upper floors. The answer was no. She went on to question the words “effectively buffer” in Section G of this amendment. Susan Swift commented that some of the changes are being put in or deleted to put into place some vehicles for better control in some of the existing regulations. She went on to say that if nothing is put into place, then a request for B-4 can be implemented. If this happens, there will be no control. There is no option for Planned Development infill right now that is not suburban.

Mr. Boucher elaborated somewhat on the statement and further explained why this is important to have something in place now.

Mayor Umstattd agreed with the amendment.

Commissioner Werner thanked Mr. Boucher for clearing this up and agrees that this is important.

#### Section 11.3 Number of Parking Spaces Required.

Commissioner Wright had some concerns about drop off parking at child care centers and questioned whether the current formula of one space per staff is a workable number. He suggested that this be carefully reviewed as needed.

#### Section 11.4.3 Payments in lieu

Commissioner Bangert asked how this was working. Mr. Boucher responded that the concept is good. However, without alternate parking it will become less efficient. He stated that this would probably need to be revisited in the future.

Mayor Umstattd asked if there was a segregated parking fund. Mr. Boucher stated that they know what is collected, even though it is part of the general fund.

Commissioner Werner brought up the example of the Turner development where the numbers with office and retail use did not work for required parking.

#### Section 12.4.1 – 12.4.5 Street Trees

Commissioner Bangert stated that the final report on this has not yet been done. She said that Jay Banks stated that none of the costs had been evaluated yet, along with other issues.

Susan Swift said that she didn't think the fact that the plan had not been completed would impact this amendment.

Paul Gauthier said he supports this amendment. He said they would be the ones in charge of maintenance, etc. of the trees. Maintenance costs will be dollar for dollar. They want to be aware of the available resources and the level of maintenance required. Using the public rights of way will affect several things such as meters, joints, drains, utility lines etc. Mr. Boucher said they are aware of issues, but this is a work in progress and concerns will be addressed as they arise.

Chairman Vaughan said he maintains the trees at his residence – is the tree in the right of way up to him to maintain or the town? Mr. Boucher responded that this would be maintained by the town.



Commissioner Bangert stated that she was not against trees, but let's work out the details.

Commissioner Werner said that perhaps an adopt a tree could encourage citizens to take care of trees in front of their house.

Commissioner Wright said his concern is over the amount of money spent and the maintenance.

#### Section 12.8.2 Buffers and Screening

Commissioner Bangert is in agreement with this amendment

Commissioner Vaughan was concerned with noise mitigation and berms. He would like to see berms incorporated where possible.

Commissioner Werner stated that berms would be a challenge in the downtown area. Perhaps if language were added on "how to landscape a berm" it would be helpful. Section D addresses types of barriers, fencing to be more specific. What is the definition of a "solid fence". Also, the brick wall at Costco by the tire shop, how did Fairfax mandate this.

Susan Swift stated that wood fences should not be allowed as buffers. Their maintenance is difficult and mostly not done in the town.

Commissioner Vaughan asked again about the Costco brick wall and asked how Fairfax mandated this. Could staff look into this.

Commissioner Vaughan stated that this will be left open for the ten day period to allow for further comment from the public and will be put on the agenda for June 17 Planning Commission meeting.

#### **Subdivision and Land Development Amendments – Lee Phillips, Chief Current Planning (Agenda Item 9C)**

Lee Phillips gave a presentation on the following sections for proposed amendment.

Section 13-55 Purpose and Intent

Section 13-55.2 Minor Subdivision

Section 13-55.3 Boundary Line Adjustments

Section 13-57 Review and Approval of Preliminary Subdivision Plat

Section 13-60 Review and Approval of Final Subdivision Plat

Section 13-64 Purpose and Intent

Section 13-66 Filing of Preliminary Development Plan

Section 13-67 Approval of Preliminary Development Plan

Section 13-75 Lots

Section 13-89 Land Development Official

Section 13-90 Commission

Section 13-99 Definitions and rules of Construction

The public hearing was opened at this time.

Ann Jones of 1232 Bradfield Drive representing Keep South Leesburg Beautiful addressed the Commission. She had met with Susan Swift and said that many of her questions had been answered. Ms. Jones did, however, want to address the Commission on issues with the proposed Meadowbrook application. She feels that residents are powerless to say what they would like to see and she asked that the elected officials of the town energize the public, not deter them from giving input. She was concerned about 13-57 and 13-60 pertaining to the review process.

Commissioner Werner asked what Keep South Leesburg Beautiful represented. Ms. Jones stated that they formed prior to the May election and are very concerned about the proposed development in the southwest quadrant.

Hub Turner of 1107 Bradfield Drive, a 30 year resident of Leesburg, has attended many public hearings and stated that everything proposed right now seems to be in bits and pieces with none of the puzzle fitting together. Mr. Turner asked that things not be rushed through the review process. He cited some examples of poor planning. His request was to put the amendments on hold, he asked for a copy of the presentation, and asked that staff take the time to sit and discuss this.

Terry Elvers of 23 Linden Hill Way also had issues with 13.57 and 13.60. He stated that these limit the input on design, too many things can get changed. As the fastest growing county, we should work with the idea that more new people can bring more new ideas and more public input. Don't remove the power from the people. A developer is likely to revisit issues if there are more public hearings, not less.

Joanne Elvers of 23 Linden Hill Way also spoke against 13.57 and 13.60. She said the developers are not in the business to keep south Leesburg beautiful, they want to make money. She urged the Commission and Town Council to remain in the process. Ms. Elvers went on to say that section 13-75 should be addressed. In Linden Hills the streets are so narrow and parking so limited that it causes animosity among the neighbors. This should not occur.

Mike Koenig of Woodlea Manor came forward to state that he agreed with the prior speakers and asked that the review process not be taken away from the Town Council.

Jack King of Woodlea Manor said that if they cut the representatives out of the business, it's like cutting the residents out of the business.

Juan Bocher, 1398 Clagget Street concurs. He also does not want to see representatives cut from the process.

The public hearing was closed at this time. Chairman Vaughan suggested that the Commission members discuss these proposed changes the same as the Zoning Ordinance Changes, one by one. He also left this hearing open for ten days for additional public comment.

Sec. 13-55.2 Minor Subdivision - There were no comments.

Sec. 13-55.3 Boundary Line Adjustments – Commissioner Wright asked Mr. Phillips to make sure that he was not going against state code in the Purpose and Intent Section of the proposed amendments.

Commissioner Werner asked whether there were any changes proposed on how to review subdivision, only how to review cluster subdivisions. Mr. Phillips responded that cluster review would be less restrictive with larger lot subdivision review more restrictive.

Commissioner Bangert asked if this had anything to do with BLA review for school sites. Mr. Phillips replied that school sites were completely different. Ms. Bangert asked if this needed to be specified in this section to clarify that this is for property line adjustments only.

Sec. 13-57 Review and Approval of Preliminary Subdivision Plat. Commissioner Wright asked if this only goes in front of the Planning Commission, then Section D, as addressing common area, if the PC is ok with this, it does need Council's conditional approval if the developer decides to dedicate some of the land to the Town. How would this then be addressed. This can be open ended if the wording doesn't address that possibility.

Mayor Umstattd would like to see the authority kept with the Council. The less involvement there is, the less public awareness there is.

Commissioner Bangert understands staff's purpose for this amendment. She agrees that cutting out involvement of the Council, the more likely the public will not be aware of what is happening. She asked if staff could figure out a way to assure that the public is made aware.

Susan Swift said that if this is causing this much concern, it would not be a problem to drop the issue at this point. She went on to say that it would be forwarded to Council stating that the PC did not approve this section. It is scheduled for the July 13 meeting and public hearing on July 27.

Sec. 13-64 – Purpose and Intent. Commissioner Wright asked why residential was the only use that was mentioned safe and attractive, and also drainage was not addressed, even though it was addressed in the prior version.

Mayor Umstattd echoed Mr. Wright's comments.

Sec. 13-66 Filing of Preliminary Development Plan – no comments.

Sec. 13-67 Approval of Preliminary Development Plan. Commissioner Wright stated that this is not purely ministerial in nature. If the land development official makes an error, what recourse does the Council have to make it right. Susan Swift responded that any error that might be made would be corrected. All approvals still need to fall within

the Code, so any decisions to make the corrections could come from either the Planning Commission or the Council.

Sec. 13-75 Lots. Commissioner Wright asked if this standard were taken out, was there something else that would control parking lots/courts. Mr. Phillips stated that other jurisdictions have various methods of figuring out the parking area. Paul Gauthier came forward and said that our parking area standards are based on number of trips per day and according to VDOT standards. There are further standards that limit the distance from the street and traffic generated to it.

Commissioner Vaughan asked if this needed to be reworked at this point. Lee Phillips will check with the Fairfax County Fire Marshall to see what their standards are.

Commissioner Bangert asked that more information be provided after looking at the big picture. She would not like to see a sea of parking spaces in front of new multifamily developments.

Commissioner Emswiler asked about private streets and adequate turning space for rescue vehicles. She doesn't support the change unless design changes are incorporated. The cap should not be removed unless something better comes from it.

Mayor Umstattd asked if the number of parking spaces should be increased. Having lived in townhouse communities, she has experienced the animosity created by a shortage of parking.

Susan Swift stated that we currently have a high percentage of required spaces and doesn't feel that it needs to be increased. It will be reviewed periodically however to make sure that an adequate percentage of spaces is being considered.

Mr. Phillips said our old standards were very short of spaces, but the new standards have alleviated this.

Commissioner Wright asked why were reducing parking in Sec. 11.3. Susan Swift said that was for multi-family dwellings, this is for townhouse development.

Sec. 13-89 Land Development Official. This was changed to go along with Sec. 13-67. There were no comments.

Sec. 13-99 Definitions and Rules of Construction. No Commissioner comments.

### **COMPREHENSIVE PLANNING.**

**Overview of Joint EAC/EDC/PC Meeting: Workshop on Public Comment Themes – June 17, 2004.** David Fuller, Chief Comprehensive Planning

Mr. Fuller gave an overview of the joint EAC/EDC/PC meeting that will be a part of the regularly scheduled Planning Commission meeting on June 17. This is part of the public input sessions planned to gather information for consideration in writing the Town Plan.

During the meeting the commission members will break into groups and be presented themes for discussion. The results will then be reported and used to continue with the drafting of the town plan.

Chairman Vaughan had some concern about the time involved because of the timing on the Code amendments that will be discussed during the June 17 meeting.

Susan Swift responded that this meeting is getting loaded up because it is potentially the last meeting with the current sitting Commissioners and these items are being presented because of their experience over the past few years.

Commissioner Bangert had some concern about making hasty decisions to keep the continuity of those people sitting on the Commission and the Council. She felt that it should be considered and move over to the new Commissions as needed.

Mayor Umstattd stated that the Council would not be put out if the issues were given to them piecemeal. She felt that most Commission members would be carried over to the next term.

Commissioner Bangert asked that the combined EAC/EDC/PC meeting continue and that there be no more extension or delays in the Comp Plan progress.

Susan Swift suggested that the code amendments could be put on the July 1 schedule if the continuity of the Commission is not an issue.

The Planning Commission decided to place the code amendments on the June 17, 2004 agenda and see how much they could cover.

### **COUNCIL AND REPRESENTATIVES REPORT**

Mayor Umstattd did not give a report given the lateness of the hour.

### **STAFF AND COMMITTEE REPORTS**

There is some question about the current sitting Commission members and any new members that would be appointed to begin July 1. It's a matter of when they would be sworn in because the first Planning Commission meeting is on July 1. Commissioner Wright said that he spoke with the Town Attorney and the current sitting commissioner would technically still be active if the newly appointed commissioner had not been sworn in yet.

Susan Swift asked if there were questions on the County referral process. Commissioner Bangert said she needed some information because she was receiving conflicting information on the Bolen Park issue.

Commissioner Vaughan asked that as many Commission member as possible attend the meeting at the County next week. Mayor Umstattd stated that there was a misunderstanding of the town's position on Bolen Park. The Council does support the park but also supports the staff concerns. This information has been passed on to the County Board of Supervisors and appropriate staff members.

Commissioner Bangert stated that the Town of Leesburg would be paying for utility extension and residents of the County and Ashburn would reap the benefits of the park.

Chairman Vaughan cautioned the Commissioners to not be pulled into complications of County/Council issues.

Susan Swift said that some issues grew as a result of non-compliance. Several technical issues were not address including transportation issues. Paul Gauthier said that the widening of Sycolin Road and assuring proper traffic patterns would be critical to this project.

Susan Swift passed out a new log of upcoming application which set out the date that the Commission would be reviewing them and then the Council would be reviewing them.

### **OLD BUSINESS**

None

### **NEW BUSINESS**

Chairman Vaughan stated that they had a parliamentarian. Susan Swift clarified that once Commissioner Werner was appointed Vice Chairman, that Commissioner Dubé was appointed Parliamentarian, and now that he has left, a new Parliamentarian needed to be appointed.

Commissioner Bangert moved that Commissioner Werner be appointed Parliamentarian

Motion:	Bangert
Second:	Wright
Carried:	5-0

Chairman Vaughan addressed the issue of Previews. He has some concern about the process. He feels that moving to the new process where the application is presented by staff and the applicant does not speak at this session. He feels that the applicant should have the right to at least say that the presentation was true and proper and offer any corrections that might be necessary. To deny this does not reflect a business friendly atmosphere. Perhaps there should be no discussion at all. The application would be presented on paper and any questions would be directed to the staff during business hours.

Commissioner Bangert asked if this could be put on the next agenda for discussion. She does not feel prepared to discuss or decide on this at this point.

Commissioner Wright asked if this was pertaining to preview and/or briefing. Chairman Vaughan clarified that it was the preview.

Susan Swift said that this could definitely be moved to the next meeting or even the meeting in July.

**ADJOURNMENT**

The motion was made and seconded to adjourn the meeting at 11:38pm.

**Prepared By:**

**Approved By:**

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**Linda DeFranco, Commission Clerk**

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**Clifton Vaughan, Chairman**